

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re U.S. Patent No. 5,795,864 )  
 )  
Issued: August 18, 1998 )  
 )  
To: Gary Arthur Amstutz, Stephen Scott Bowersox, )  
Kishorchandra Gohil, Peter Isadore Adriaenssens, )  
Ramasharma Kristipati )  
 )  
Assignee: ELAN Pharmaceuticals, Inc. )  
 )  
For: STABLE OMEGA CONOPETIDE FORMULATIONS )

**ATTN: MAIL STOP HATCH-WAXMAN PTE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**REPLY TO NOTICE OF FINAL DETERMINATION  
AND REQUIREMENT FOR ELECTION**

In reply to the Requirement for Election mailed March 21, 2007, Applicant hereby elects to have the term extension issued on U.S. Patent No. 5,364,842 for a period of 5 years from the original date of expiration. This election is exercised pursuant to the requirement of 35 U.S.C. § 156(c)(4) that permits only a single term extension per regulatory review period.

Accordingly, once the term extension certificate is issued on U.S. Patent No. 5,364,842, this application for term extension of U.S. Patent No. 5,795,864 may be considered withdrawn.

Thank you for your prompt attention to this matter.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Date: April 17, 2007

By: Charles E Van Horn  
Charles E. Van Horn  
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